



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,886	12/21/2001	Hideo Shimazu	016891-0841	5598
7590 FOLEY AND LARDEN SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			EXAMINER LASTRA, DANIEL	
			ART UNIT 3688	PAPER NUMBER
			MAIL DATE 03/27/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/023,886

**Applicant(s)**

SHIMAZU, HIDEO

**Examiner**

DANIEL LASTRA

**Art Unit**

3688

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-6, 8-13 and 15-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-6, 8-13 and 15-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 2-6, 8-13 and 15-34 have been examined. Application 10/023,886 (Information providing server, client, information providing system processing method, recording medium recording a program, and advertisement providing method) has a filing date 12/21/2001 and foreign priority 12/25/2000.

### **Response to Amendment**

2. In response to Non Final Rejection filed 08/12/2008, the Applicant filed an Amendment on 01/08/2009, which amended claims 11-13, 15, 25, 27 and added new claims 28-34.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 28-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Said claims are indefinite because it is not clear the relationship to the web pages, other user and the user when the claims recite "*wherein the other users position marks correspond to web page information of a first web page that at least one of the other users is currently browsing, wherein a second web page that the user is currently browsing is related in subject matter to the first web page*".

Claims 2, 4, 5, 8, 9, 11, 12, 15-17, 19, 21-27 recite the limitation "the current date". There is insufficient antecedent basis for this limitation in the claim.

### **Claim Objections**

5. Claim 27 is objected to because is marked as (previously presented) when it should recite (currently amended).

### **Claim Rejections - 35 USC § 103**

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-6, 8-13 and 15-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirono (US 6,882,348) in view of Herf (US 6,734,873) and further in view of Neven (US 6,948,131) and DeLorme (US 5,848,373).

As per claim 2, Hirono teaches:

An information providing server comprising:

image data storage means for storing image data generated based on image information in which a physical position is clearly described and in which a same area is photographed from different locations, and storing positional information showing the position of said image data (see figure 5);

advertisement placing information storage means for storing advertisement placing information including at least a placing period and a placed location of an advertisement by adding an ID for each advertisement (see figure 5);

image synthesizing means for reading the image data from said image data storage means based on a viewpoint of a user, reading from said advertisement placing information storage means said advertisement placing information having said placing period including the current date data and said placed location included in said image data read based on said viewpoint of a user, and synthesizing said read image data with said advertisement placing information to generate synthesis image data (see figure 5);

advertisement contract storage means for storing contract information including an ID added to said advertisement placing information, the name of an advertisement placing person who desires to place an advertisement, and a contract money amount (see col 7, lines 45-50); and

advertisement contract means for receiving an advertisement placing request from said advertisement placing person (see col 7, lines 45-50) executing a contract process of said advertisement placing request upon reception of said advertisement placing request from said advertisement placing person and updating said advertisement placing information stored in said advertisement placing information storage means based on said contract information stored in said advertisement contract storage means (see col 7, lines 45-50).

user data storage means for recording the ID of a user and the viewpoint position of said user (see col 6, lines 1-10);

other users maximum display threshold value storage means for storing an other users maximum display threshold value for defining a threshold value to display the

maximum number of viewpoint positions of other users when displaying the viewpoint positions of the other users (see col 9, lines 35-45 "marker");

user position display means for adding a user position mark showing the user to the viewpoint position of the user in said image stereoscopic representation provided to said user, fetching from data stored in said user data storage means the viewpoint positions of said other users and said user IDs up to said threshold value defined by said other users maximum display threshold value in the order close to the viewpoint position of said user, and adding other users position marks showing said other users to said viewpoint positions (see col 9, lines 30-45; position marker); and

Hirono fails to teach that said image data is a three-dimensional image data, the user data storage means also storing IDs of other users and viewpoint positions of the other users and interaction connection means for regarding, as persons to interact with, the user IDs of said other users corresponding to given specified other users position marks when said user specifies said given other users position marks and starting an interacting function program to provide connection. However, Herf teaches a system of displaying three-dimensional images in a browser (see col 7, lines 30-50), DeLorme teaches a system that allow users sightsee in three dimensions (see col 15, lines 45-50) and also teaches a system that records all the locations of users in map (see figure 2; col 21, lines 55-67) and Neven teaches that it is old and well known in the communication art to allow users to communicate in real time with other users that are online (see Neven col 7, lines 50-63). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that

Hirono would use the Herf and DeLorme's system to presents three-dimensional image to a user's browser in order that said user has a better browsing experience and would allow users to communicate with other users that are online at said users' location, as it is old and well known to do so, as taught by Neven.

wherein the synthesis image data includes the advertisement placed at a particular location corresponding to the placed location in a image corresponding to the image (see Hirono col 7, lines 20-50). Hirono fails to teach that said image data is a three-dimensional image data. However, Herf teaches a system of displaying three-dimensional images in a browser (see col 7, lines 30-50). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Hirono would use the Herf's system to presents three-dimensional image to a user's browser in order that said user has a better browsing experience.

As per claim 3, Hirono teaches:

image data conversion means for generating image data based on image information in which the same area is photographed from different locations and in which a physical position is clearly described (see fig 5). Hirono fails to teach that said image data is a three-dimensional image data and that wherein the synthesis three dimensional image data is provided as part of a three-dimensional aerial sightseeing service that is provided to the user for free. However, Herf teaches a system of displaying three-dimensional images in a browser (see col 7, lines 30-50) and DeLorme teaches presenting a three-dimensional sightseeing system (see col 15, lines 45-50). Therefore, it would have been obvious to a person of ordinary skill in the art at the time

the application was made, to know that Hirono would use the Herf and the DeLorme system to presents three-dimensional image to a user's browser in order that said user has a better browsing experience.

As per claim 4, Hirono teaches:

An information providing server comprising:

image data storage means for storing three-dimensional image data generated based on image information in which a physical position is clearly described and in which the same area is photographed from different locations, and storing positional information showing the position of said image data (see figure 5);

advertisement placing information storage means for storing advertisement placing information including at least a placing period and a placed location of an advertisement by adding an ID for each advertisement (see col 8, lines 1-15) the advertisement placing information being provided by an advertisement placing person (see col 7, lines 45-50);

user data storage means for recording the ID of a user and the viewpoint position of said user (see col 6, lines 1-11);

other users maximum display threshold value storage means for storing an other users maximum display threshold value for defining a threshold value to display the maximum number of viewpoint positions of other users when displaying the viewpoint positions of the other users (see col 9, lines 35-45 "marker");

user position display means for adding a user position mark showing the user to the viewpoint position of the user in said image stereoscopic representation provided to



said user, fetching from data stored in said user data storage means the viewpoint positions of said other users and said user IDs up to said threshold value defined by said other users maximum display threshold value in the order close to the viewpoint position of said user, and adding other users position marks showing said other users to said viewpoint positions (see col 9, lines 30-45; position marker); and

Hirono fails to teach that said image data is a three-dimensional image data and the user data storage means also storing IDs of other users, viewpoint positions of the other users and interaction connection means for regarding, as persons to interact with, the user IDs of said other users corresponding to given specified other users position marks when said user specifies said given other users position marks and starting an interacting function program to provide connection. However, Herf teaches a system of displaying three-dimensional images in a browser (see col 7, lines 30-50), DeLorme teaches a system that allow users sightsee in three dimensions (see col 15, lines 45-50) and also teaches a system that records all the locations of users in map (see figure 2; col 21, lines 55-67) and Neven teaches that it is old and well known in the communication art to allow users to communicate in real time with other users that are online (see Neven col 7, lines 50-63). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Hirono would use the Herf and DeLorme's system to presents three-dimensional image to a user's browser in order that said user has a better browsing experience and would allow users to communicate with other users that are online at said users' location, as it is old and well known to do so, as taught by Neven.

image synthesizing means for reading the image data from said three-dimensional image data storage means based on viewpoint of a user, reading from said advertisement placing information storage means said advertisement placing information having said placing period including the current date data and said placed location included in said image data read based on said viewpoint of a user, and synthesizing said read image data with said advertisement placing information to generate synthesis image data (see figure 5);

and image browser means for generating, based on a desired viewpoint position, a rendered image rendered from said synthesis image data outputted from said image synthesizing means (see figure 5); wherein the synthesis image data includes the advertisement placed at a particular location corresponding to the placed location in a image corresponding to the image (see Hirono col 7, lines 20-50). Hirono fails to teach that said image data is a three-dimensional image data. However, Herf teaches a system of displaying three-dimensional images in a browser (see col 7, lines 30-50). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Hirono would use the Herf's system to presents three-dimensional image to a user's browser in order that said user has a better browsing experience.

As per claim 5, Hirono teaches:

An information providing server comprising:

image data storage means for storing image data generated based on image information in which a physical position is clearly described and in which the same area

is photographed from different locations, and storing positional information showing the position of said image data (see figure 5);

advertisement placing information storage means for storing advertisement placing information including at least a placing period and a placed location of an advertisement by adding an ID for each advertisement (see col 14, lines 45-60) the advertising placing information being provided by an advertisement placing person (see col 7, lines 45-50);

image synthesizing means for reading the image data from said image data storage means based on viewpoint of a user, reading from said advertisement placing information storage means said advertisement placing information having said placing period including the current date data and said placed location included in said image data read based on said viewpoint of a user, and synthesizing said read image data with said advertisement placing information to generate synthesis image data (see figure 5);

image browser means for generating, based on a desired viewpoint position, a rendered image rendered from said synthesis image data outputted from said image synthesizing means (see figure 5);

advertisement contract storage means for storing contract information including an ID added to said advertisement placing information, the name of an advertisement placing person who desires to place an advertisement, and a contract money amount (see col 7, lines 45-50); and advertisement contract means for receiving an advertisement placing request from said advertisement placing person (see col 7, lines

45-50), executing a contract process of said advertisement placing request upon reception of said advertisement placing request from said advertisement placing person and updating said advertisement placing information stored in said advertisement placing information storage means based on said contract information stored in said advertisement contract storage means (see col 7, lines 45-55); wherein the synthesis image data includes the advertisement placed at a particular location corresponding to the placed location in a image corresponding to the image (see Hirono col 7, lines 20-50). Hirono fails to teach that said image data is a three-dimensional image data. However, Herf teaches a system of displaying three-dimensional images in a browser (see col 7, lines 30-50). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Hirono would use the Herf's system to presents three-dimensional image to a user's browser in order that said user has a better browsing experience.

user data storage means for recording the ID of a user and the viewpoint position of said user (see col 6, lines 1-10);

other users maximum display threshold value storage means for storing an other users maximum display threshold value for defining a threshold value to display the maximum number of viewpoint positions of other users when displaying the viewpoint positions of the other users (see col 9, lines 35-45 "marker");

user position display means for adding a user position mark showing the user to the viewpoint position of the user in said image stereoscopic representation provided to said user, fetching from data stored in said user data storage means the viewpoint

positions of said other users and said user IDs up to said threshold value defined by said other users maximum display threshold value in the order close to the viewpoint position of said user, and adding other users position marks showing said other users to said viewpoint positions (see col 9, lines 30-45; position marker); and

Hirono fails to teach that said image data is a three-dimensional image data and the user data storage means also storing IDs of other users and viewpoint positions of the other users and interaction connection means for regarding, as persons to interact with, the user IDs of said other users corresponding to given specified other users position marks when said user specifies said given other users position marks and starting an interacting function program to provide connection. However, Herf teaches a system of displaying three-dimensional images in a browser (see col 7, lines 30-50) and DeLorme teaches a system that allow users sightsee in three dimensions (see col 15, lines 45-50) and also teaches a system that records all the locations of users in map (see figure 2; col 21, lines 55-67) and Neven teaches that it is old and well known in the communication art to allow users to communicate in real time with other users that are online (see Neven col 7, lines 50-63). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Hirono would use the Herf and DeLorme's system to presents three-dimensional image to a user's browser in order that said user has a better browsing experience and would allow users to communicate with other users that are online at said users' location, as it is old and well known to do so, as taught by Neven.

As per claim 6, Hirono teaches:

image data conversion means for generating image data based on image information in which a physical position is clearly described in which the same area is photographed from different locations described (see figure 5). Hirono fails to teach that said image data is a three-dimensional image data and wherein the synthesis three-dimensional image data is provided as part of a three-dimensional aerial sightseeing service that is provided to the user for free. However, Herf teaches a system of displaying three-dimensional images in a browser (see col 7, lines 30-50) and DeLorme teaches presenting a three-dimensional sightseeing system (see col 15, lines 45-50). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Hirono would use the Herf and the DeLorme system to presents three-dimensional image to a user's browser in order that said user has a better browsing experience.

As per claim 8, Hirono teaches:

An information providing server comprising:

image data storage means for storing image data generated based on image information in which a physical position is clearly described and in which the same area is photographed from different locations, and storing positional information showing the position of said image data (see figure 5);

advertisement placing information storage means for storing advertisement placing information including at least a placing period and a placed location of an advertisement by adding an ID for each advertisement (see col 14, lines 35-60);

the advertisement placing information being provided by an advertisement placing person (See col 7, lines 45-50);

image synthesizing means for reading the image data from said three-dimensional image data storage means based on browsing location specification information, reading from said advertisement placing information storage means said advertisement placing information having said placing period including the current date data and said placed location included in said image data read based on said view point of a user, and synthesizing said read image data with said advertisement placing information to generate synthesis image data (see figure 5);

image browser means for generating, based on a desired viewpoint position, a rendered image rendered from said synthesis image data outputted from said image synthesizing means (see col 14, lines 45-60);

landmark position storage means for storing landmark information including language representation information about the name or contents corresponding to a landmark existing in said image data and positional information on the position of said landmark (see figure 12); and

search engine means for searching for page data including the contents related to a keyword from a set of page data when said keyword is given as input and generating link information to said page data (see col 14, lines 45-60),

wherein said image browser means refers to said positional information included in said landmark information of said landmark position storage means when related information presentation related to the position is commanded, specifies the

corresponding landmark information, outputs said language representation information of the landmark information to said search engine means, and allows said search engine means to generate link information of page data related to the landmark information (see figure 12). wherein the synthesis image data includes the advertisement placed at a particular location corresponding to the placed location in a image corresponding to the image (see Hirono col 7, lines 20-50). Hirono fails to teach that said image data is a three-dimensional image data. However, Herf teaches a system of displaying three-dimensional images in a browser (see col 7, lines 30-50). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Hirono would use the Herf's system to presents three-dimensional image to a user's browser in order that said user has a better browsing experience.

user data storage means for recording the ID of a user and the viewpoint position of said user (see col 6, lines 1-10);

other users maximum display threshold value storage means for storing an other users maximum display threshold value for defining a threshold value to display the maximum number of viewpoint positions of other users when displaying the viewpoint positions of the other users (see col 9, lines 35-45 "marker");

user position display means for adding a user position mark showing the user to the viewpoint position of the user in said image stereoscopic representation provided to said user, fetching from data stored in said user data storage means the viewpoint positions of said other users and said user IDs up to said threshold value defined by



said other users maximum display threshold value in the order close to the viewpoint position of said user, and adding other users position marks showing said other users to said viewpoint positions (see col 9, lines 30-45; position marker); and

Hirono fails to teach that said image data is a three-dimensional image data and the user data storage means also storing IDs of other users and viewpoint positions of the other users and interaction connection means for regarding, as persons to interact with, the user IDs of said other users corresponding to given specified other users position marks when said user specifies said given other users position marks and starting an interacting function program to provide connection. However, Herf teaches a system of displaying three-dimensional images in a browser (see col 7, lines 30-50) and DeLorme teaches a system that allow users sightsee in three dimensions (see col 15, lines 45-50) and also teaches a system that records all the locations of users in map (see figure 2; col 21, lines 55-67) and Neven teaches that it is old and well known in the communication art to allow users to communicate in real time with other users that are online (see Neven col 7, lines 50-63). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Hirono would use the Herf and DeLorme's system to presents three-dimensional image to a user's browser in order that said user has a better browsing experience and would allow users to communicate with other users that are online at said users' location, as it is old and well known to do so, as taught by Neven.

As per claim 9, Hirono teaches:

An information providing server comprising:

image data storage means for storing image data generated based on image information in which a physical position is clearly described and in which the same area is photographed from different locations, and storing positional information showing the position of said image data (see figure 12);

advertisement placing information storage means for storing advertisement placing information including at least a placing period and a placed location of an advertisement by adding an ID for each advertisement (see col 6, lines 1-25);

the advertisement placing information being provided by an advertisement placing person (see col 7, lines 45-50);

image synthesizing means for reading the image data from said image data storage means based on viewpoint of a user, reading from said advertisement placing information storage means said advertisement placing information having said placing period including the current date data and said placed location included in said image data read based on said viewpoint of a user, and synthesizing said read image data with said advertisement placing information to generate synthesis image data (see figure 12);

image browser means for generating, based on a desired viewpoint position, a rendered image rendered from said synthesis image data outputted from said image synthesizing means (see figure 12);

landmark position storage means for storing landmark information including a language representation about the name or contents corresponding to a landmark

existing in said image data and positional information on the position of said landmark (see figure 12);

search engine means for searching for page data including the contents related to a keyword from a set of page data when said keyword is given as input and generating link information to said page data (see col 14, lines 45-60);

user stay landmark storage means for storing a landmark stay record including said landmark where a user stays and the stay time at the landmark (see figure 12);

all movement history storing means for recording a movement history including the viewpoint position of said user and the time (see figure 12);

stay time threshold value storage means for storing a stay time threshold value showing time to stay around a landmark necessary for judging that said user is interested in said landmark (see figure 12);

range inside and outside judgment distance storage means for storing range inside and outside judgment distance information showing definition of the peripheral position from the position of a landmark necessary for judging that said user is interested in said landmark (see figure 12);

stay time calculation means for extracting said landmark information from said landmark position storage means, using positional information of the landmark information and said range inside and outside judgment distance information stored in said range inside and outside judgment distance storage means to extract from said all movement history storing means said movement history when the viewpoint position of said user is within a surrounding area of said landmark defined by said range inside and

outside judgment distance information from positional information included in said extracted landmark position, and using the extracted movement history to calculate the first time and the last time in which the viewpoint position of said user is within said surrounding area of said landmark (see figure 12);

and user stay landmark judgment means for comparing a stay time which is a difference between said last time and said first time calculated by said stay time calculation means with said stay time threshold value stored in said stay time threshold value storage means, and when said stay time is above said stay time threshold value, using said language representation information of said landmark information to store said landmark name and said stay time into said user stay landmark storage means, wherein said image browser means refers to said positional information included in said landmark information of said landmark position storage means when related information presentation related to the position is commanded, specifies the corresponding landmark information, outputs said language representation information of the landmark information to said search engine means, and allows said search engine means to generate link information of page data related to the landmark information (see figure 12). wherein the synthesis image data includes the advertisement placed at a particular location corresponding to the placed location in a image corresponding to the image (see Hirono col 7, lines 20-50). Hirono fails to teach that said image data is a three-dimensional image data. However, Herf teaches a system of displaying three-dimensional images in a browser (see col 7, lines 30-50). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to

know that Hirono would use the Herf's system to presents three-dimensional image to a user's browser in order that said user has a better browsing experience.

user data storage means for recording the ID of a user and the viewpoint position of said user (see col 6, lines 1-10);

other users maximum display threshold value storage means for storing an other users maximum display threshold value for defining a threshold value to display the maximum number of viewpoint positions of other users when displaying the viewpoint positions of the other users (see col 9, lines 35-45 "marker");

user position display means for adding a user position mark showing the user to the viewpoint position of the user in said image stereoscopic representation provided to said user, fetching from data stored in said user data storage means the viewpoint positions of said other users and said user IDs up to said threshold value defined by said other users maximum display threshold value in the order close to the viewpoint position of said user, and adding other users position marks showing said other users to said viewpoint positions (see col 9, lines 30-45; position marker); and

Hirono fails to teach that said image data is a three-dimensional image data and the user data storage means also storing IDs of other users and viewpoint positions of the other users and interaction connection means for regarding, as persons to interact with, the user IDs of said other users corresponding to given specified other users position marks when said user specifies said given other users position marks and starting an interacting function program to provide connection. However, Herf teaches a system of displaying three-dimensional images in a browser (see col 7, lines 30-50) and

DeLorme teaches a system that allow users sightsee in three dimensions (see col 15, lines 45-50) and also teaches a system that records all the locations of users in map (see figure 2; col 21, lines 55-67) and Neven teaches that it is old and well known in the communication art to allow users to communicate in real time with other users that are online (see Neven col 7, lines 50-63). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Hirono would use the Herf and DeLorme's system to presents three-dimensional image to a user's browser in order that said user has a better browsing experience and would allow users to communicate with other users that are online at said users' location, as it is old and well known to do so, as taught by Neven.

As per claim 10, Hirono teaches:

all information search command history storing means for recording an information presentation command history including the landmark name in which said user commands related information presentation related to the position and the time (see figure 12; col 6, lines 15-30); and

user behavior record presentation means for outputting said landmark stay record of said user stay landmark storage means or said information presentation command history of said all information search command history storing means when a manager commands to present the summing result (see col 6, lines 15-30).

*Claims 28-34, Hirono does not teach:*

*wherein the other users position marks correspond to web page information of a first web page that at least one of the other users is currently browsing, wherein a*

*second web page that the user is currently browsing is related in subject matter to the first web page.* However, DeLorme teaches that allows users of portable devices to view the location of others users when all the users are currently browsing the same subject matter or location using said portable device (see col 21, line 55 – col 22, line 6). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Hirono would use the Herf and DeLorme's system to presents three-dimensional image to a user's browser in order that said user has a better browsing experience and would allow users to communicate with other users that are at a users' location, as taught by DeLorme in order that said users approach each other or meet at an agreed upon common point.

Claims 11-13 and 15-27 contains the same limitation as claims 2-6 and 8-10 therefore, the same rejection is applied.

### ***Response to Arguments***

7. Applicant's arguments filed 01/08/2009 have been fully considered but they are not persuasive. The Applicant argues that the prior arts do not teach users to interact with other users corresponding to given specified other users position marks when the users specifies the given other users position marks and starts an interacting function program to provide connection to other users. The Examiner answers that Hirono teaches linking devices to each other by cellular or wireless modem for direct communication of each other's position (see col 21, lines 55-65) and a device placing a call to another device enters a location (see col 39, lines 60-67). Therefore, contrary to Applicant's argument, the prior arts teach Applicant's claimed invention.

The Applicant argues that Applicant's claim 2 recites a user to recognize what sort of people are searching and in what place they are searching, to provide enjoyment for the user in his/her searching operation, where a user can make a tour of a famous tourist site with persons viewing the same location and can get to know them by way of the present invention. The Examiner answers that the Applicant is arguing about limitation not stated in the claims.

The Applicant argues that Hirono does not teach "a stay time threshold value or a range inside and outside judgment distance or a stay time calculation that uses positional information of a landmark and movement history of a user". The Examiner answers that Hirono teaches displaying ads based upon time period (i.e. time zone, period) (see col 6, lines 20-30), within a range of a position mark (see col 7, lines 30-40; col 10, lines 15-30). Therefore, contrary to Applicant's argument, the prior arts teach Applicant's claimed invention.

### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of



the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 571-272-6720 and fax 571-273-6720. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James W. Myhre can be reached on (571)272-6722. The official Fax number is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/DANIEL LASTRA/  
Examiner, Art Unit 3688  
March 23, 2009